

### **REMARKS**

This is a full and timely response to the outstanding final Office Action mailed September 2, 2005. Upon entry of this response, claims 2-3, 6, 9, 12, 16-17, 19-23, 25-28, 31-33, 35, 37-39, and 43-56 are pending in the application. In this response, claims 2-3, 6, 9, 12, 16-17, 19-23, 25-28, 31-33, 35, 37-39, and 43-56 have been amended, and claims 1, 5, 8, 11, 24, 30, 36, and 42 have been cancelled. Applicants respectfully request that the amendments being filed herewith be entered and request that there be reconsideration of all pending claims.

#### **1. Allowable Subject Matter**

Applicants acknowledge the Examiner's indication in the Office Action that claims 49-56 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Accordingly, Applicants have amended claims 49-56 to include the limitations of their respective base claims, such that claims 49-56 are now independent claims. Applicants have also amended dependent claims 2-3, 6, 9, 12, 16-17, 19-23, 25-28, 31-33, 35, 37-39, and 43-48, so that each depends from one of the now independent claims 49-56. Therefore, claims 2-3, 6, 9, 12, 16-17, 19-23, 25-28, 31-33, 35, 37-39, and 43-48 are allowable as a matter of law for at least the reason that each contains all features of one of the independent claims 49-56. See, *e.g.*, *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the Examiner is respectfully requested to place claims 2-3, 6, 9, 12, 16-17, 19-23, 25-28, 31-33, 35, 37-39, and 43-56 in condition for allowance.

Applicants wish to clarify that the amendments to claims 49-56 are made for purposes of presenting the claims in an independent claim format as requested by the Examiner, and not in response to any rejections made based on cited art. Because a dependent claim as a matter of

law inherently contains all of the limitations of its respective parent independent claim, and any intervening claims, the amendments to claims 49-56 do not narrow the scope of claims 49-56 as originally filed.

2. Rejection of Claims 1-3, 5-6, 8-9, 11-12, and 16-48 under 35 U.S.C. §103

Claims 1-3, 5-6, 8-9, 11-12, and 16-48 have been rejected under §103(a) as allegedly obvious over *Ennis, Jr. et al.* (5,867,483) in view of *Schulman* (5,600,632) and *Tomberlin et al.* (4,775,973). Claims 1, 5, 8, 11, 24, 30, 36, and 42 are cancelled without prejudice, waiver, or disclaimer, and the rejection of these claims is therefore rendered moot. Furthermore, claims 2-3, 6, 9, 12, 16-17, 19-23, 25-28, 31-33, 35, 37-39, and 43-48 are amended so that each depends from one of the allowable claims 49-56.

Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the cancelled subject matter to the public. Applicants expressly reserve the right to present cancelled claims 1, 5, 8, 11, 24, 30, 36, and 42, or variants thereof, in continuing applications to be filed subsequent to the present application.

3. Newly Added Claims

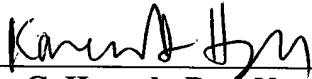
Applicants submit that new claims 57-59 are allowable over the cited references for at least the reason that each depends from an allowable claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). Therefore, Applicants request the Examiner to enter and allow the above new claims.

**CONCLUSION**

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and presently pending claims 2-3, 6, 9, 12, 16-17, 19-23, 25-28, 31-33, 35, 37-38, 43-48, 50-53, and 56-59 be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

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